

Technical Support Document  
for  
EPA's Notice of Direct Final Rulemaking

on revisions to the  
California State Implementation Plan

as submitted by the State of California, Air Resources Board  
for the South Coast Air Quality Management District

EPA's Analysis of  
South Coast Air Quality Management District's  
Rule 1133, Composting and Related Operations - General Administrative Requirements,  
Rule 1133.1, Chipping and Grinding Activities,  
Rule 1133.2, Emission Reductions from Co-Composting Operations,

United States Environmental Protection Agency, Region IX  
Air Division

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**South Coast Air Quality Management District (SCAQMD),  
Rule 1133 Series:**

Rule 1133, Composting and Related Operations - General Administrative Requirements,  
Rule 1133.1, Chipping and Grinding Activities,  
Rule 1133.2, Emission Reductions from Co-Composting Operations.

**Chronology of SCAQMD Adoption, Air Resources Board Submittal, and EPA Actions**

- The South Coast Air Quality Management District Governing Board adopted Rules 1133, 1133.1, and 1133.2 on January 10, 2003.
- The State of California submitted Rules 1133, 1133.1, and 1133.2 to EPA on June 5, 2003 as a revision to the California State Implementation Plan (SIP).
- On July 18, 2003, EPA found complete CARB's submittal of Rules 1133, 1133.1, and 1133.2.

There are no versions of Rules 1133, 1133.1, and 1133.2 in the SIP.

**Rule Summary**

Rule 1133 is an administrative rule that requires composting, chipping, and/or grinding facilities to register with the District. These facilities provide information such as types and amounts of feedstocks produced, and a description of the processes used at the facility. This information is updated annually.

Rule 1133.1 establishes holding or processing time requirements for green waste and food waste chipping and grinding activities. The rule's objective is to prevent inadvertent decomposition caused by stockpiling of composting waste for extended time periods.

Rule 1133.2 establishes control requirements for new and existing co-composting operations. Facilities may comply with the rule via two options. First, a facility can enclose and forced air aerate its compost curing operations; then, direct all volatile organic compound (VOC) and ammonia emissions to a emission control device that reduces emissions by 80 percent. In the second option, as part of a compliance plan review process, a new co-composting facility may use any combination of composting methods and emission controls, such as add-on control devices, process controls, or best management practices, to meet an 80 percent emission reduction. Existing facilities may use a similar process to meet a 70 emission reduction requirement. All compliance options require source testing to verify compliance with the rule's requirements.

## **Rule Evaluation**

### **1. Statutory Requirements & EPA Guidance**

In section 182(a)(2)(A) of the Clean Air Act Amendments of 1990 (CAA), Congress required that nonattainment areas, such as SCAQMD, fix their deficient reasonably available control technology (RACT) rules for volatile organic compounds (VOCs) and established a May 15, 1991 deadline for states to submit corrections of those deficiencies. The CAA requires the SCAQMD to adopt and correct RACT rules pursuant to pre-amended (the Clean Air Act prior to its 1990 amendment) section 172(b) as interpreted in pre-amendment guidance. This guidance included the following document:

- "Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations," USEPA, May 28, 1988.

### **2. Evaluation of Rule**

SCAQMD's Rule 1133 includes the following provisions:

- purpose and applicability;
- definitions of terms used within the rule;
- registration requirements;
- registration process;
- fees; and,
- exemptions from the rule.

SCAQMD's Rule 1133.1 includes the following provisions:

- purpose and applicability;
- definitions of terms used within the rule;
- emission reduction requirements;
- moisture content measurement requirements; and,
- exemptions from the rule.

SCAQMD's Rule 1133.2 includes the following provisions:

- purpose and applicability;
- definitions of terms used within the rule;
- emission reduction requirements;
- compliance plan requirements;
- compliance schedules;
- test methods and protocols for determining compliance with the rule;
- recordkeeping requirements;
- plan fees, and,

- exemptions from the rule.

In sum, Rule 1133, 1133.1, and 1133.2 requirements are enforceable. The rules contain adequate monitoring and maintenance provisions for monitoring compliance of regulated facilities. Regarding exemption from the rules, while a large percentage of firms (73%) in the composting and related industries are exempt from the rules' requirements, these facilities are estimated to account for only approximately 5% of all annual composting throughput (see Final Staff Report, page 6, Table 1).

Because there are no previous versions of Rules 1133, 1133.1, and 1133.2 as part of the SIP, EPA need not consider, as required by Section 110(l) of the CAA, whether or not SCAQMD's action weakens existing rule provisions within the SIP. But, according to Section 110(l), EPA may not approve a SIP revision if that SIP revision interferes with any statutory requirements concerning reasonable further progress (RFP) towards or attainment of the National Ambient Air Quality Standards (NAAQS), or any other applicable requirement of the CAA. We have determined that these rules are intended to produce additional emission reductions and strengthen the SIP. Furthermore, they do not undermine other existing SIP provisions.

### **3. Recommendations for Future Revisions**

We have none at this time.

### **4. Rule Deficiencies**

There are no deficiencies in Rules 1133, 1133.1, and 1133.2 that might provide cause for EPA to propose a limited approval and limited disapproval of the rule. Consequently, we are proposing a full approval of these rules.

### **Projected Impact of Rules 1133, 1133.1, and 1133.2**

Rule 1133.2 is estimated to produce 1.17 tons per day (tpd) of VOC emission reductions and 1.92 tpd of ammonia emission reductions from a baseline inventory of 1.67 and 2.74 tpd, respectively.

## **Recommendation**

Section 110(k) of the CAA contains provisions governing EPA's review of plans and regulations submitted by State of California, air districts, and localities for inclusion in the California State Implementation Plan. EPA can propose one of four actions on Rule 1133, 1133.1, and 1133.2: full approval, conditional approval, limited approval/disapproval, or a full disapproval.

These rules contains no appendix D/RACT deficiencies, and fulfills the RACT requirements of CAA section 182(a)(2)(A). The rules contain adequate provisions to monitor the compliance status of the regulated facilities. The rules raise no section 110(l) rule relaxation issues.

In conclusion, EPA proposes full approval of the January 10, 2003 adopted versions of Rule 1133, Composting and Related Operations - General Administrative Requirements, Rule 1133.1, Chipping and Grinding Activities, Rule 1133.2, Emission Reductions from Co-Composting Operations, and its inclusion into the California State Implementation Plan.

## **Attachments**

1. SCAQMD, Rule 1133 - Composting and Related Operations - General Administrative Requirements , adopted January 10, 2003.
2. SCAQMD, Rule 1133.1, Chipping and Grinding Activities, adopted January 10, 2003.
3. SCAQMD, Rule 1133.2, Emission Reductions from Co-Composting Operations, adopted January 10, 2003.
4. "Issues Relating to VOC (Volatile Organic Compound) Regulation Cutpoints, Deficiencies, and Deviations," USEPA, May 28, 1988, cover piece only.
5. "Staff Report for: Proposed Rules 1131, 1131.1, 1131.2," South Coast Air Quality Management District, January 10, 2003.